193 File No.

Serial Nos.

GENERAL AND REVENUE SECRETARIAT.

Part B for

SUBJECT.

Q.W. File No. 164 of 1934.

Serial No.	
1	Letter No 375/34-35 dated 15.12.34 From the M.C in Mysore — Requesting sanction to the proposal in connection with the levy of Rs 210/- Hadina Kasthan in Channarayapatna Taluk of Hassan District

The facts of the case are set forth in detail in D.C's letter dated 19.9.34 and the enclosure to it

The recommendations of the M.C. are

(i) the inam tenure of the land may forthwith be cancelled;

(ii) the land may be confirmed to the alienee on full assessment;

(iii) the jari amount hitherto credited to Land Revenue from 1893-94 may be refunded to the Temple in question;

(iv) the assessment on the land, in future years, be ordered to be made over for the benefit of the Temple.

The M.C seems to make the above recommendations for sanction of Govt on the ground that it is not clear why such sanction was not obtained by the D.C Hassan before passing his orders cancelling

NOTE—Contn. Sheet

WD 01955—GPB—22,500—12-6-34

10 Mr Belur Kasaba enclosed

File No. of 193 4

the in accordance of the law and directing crediting the assessment for the benefit of the Temple, in January 1931. In this connection reference is invited to the second proviso to section 10 of the Madras Religious and Charitable Institutions Regulation VII of 1927 under which the D.C Hassan as the Munsif of the within the meaning of the section, is competent to pass the orders he did in January 1931 In this view of the case, sanction of Govt does not seem to be required to the various proposals now submitted by the H.C. It is therefore for consideration if the H.C. may not be informed accordingly.

A

4 Further, it is stated that what the D.C Hassan has requested is sanction for the two Refund Bills amounting to Rs 221-8-0 being the difference between the full assessment and 1/8th realised in respect of S.No 210 of Belur Kasaba enclosed as inam to the Temple. But the H.C has not made any specific recommendation in respect of the bills to say that they be sanctioned as requested by the D.C. The bills may now require sanction of Govt. Submitted for orders.

210 of Karba endowed to
Bellur temple 7-28 3

General and Revenue Secretariat — Mur File No. of 1934. [App. F. III—2

Serial No.

not clear why Re Rev. says that Re D.C. should have obtained Govt sanction. This may perhaps be sent to Rev. C. & G for remarks.

A/ 3/1/35

Ch. Surv. 5 A. Please do so

R2 6/1/35

2 7/1/35

by Forwarded with compliments to the Muzrai Commissioner for favour of remarks.

By order

7/1/35

for Chief Secretary to Govt.

Gs R 7/1

375/34-35

Mur 28 JAN. 1935

Re Answer for come—

28.1.35

29.1.35

2 29/1/35

NOTE—Contn. Sheet

WD 01955—GPB—22,500—12-6-34

No 210 of Belur Kasaba endorsed to Belur

General and R
Secretariat

File No. of 193 4

8) Subd for orders with reference to paras 4 and 7 supra.

7/2

9 The recommendation para 2 of the Dy C. Contd in his letter dt 14/15.12.34 (P.no) may be sanctd.

9/2/35

Ch: Secy)

10

11/2/35

Read both
for the Chief
11/2

11

12/2

12/2

A draft G.O. Saved herewith.

15/2

16/2

1099-1102 dt 19.2.35

The D.C in Mike
(Executive
& Commissioner
- Director of L.R.

The recommendation
is

7/3/35

OFFICE OF THE
SECOND MEMBER FOR BOARD OF REVENUE
12 FEB. 1935
NO. 3357

TYPING SECTION
18. FEB 1

No. 375/34-35
Revel Record

MW 164-34-1

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 14th December 15 *193*

GENL & REV SECTT. 728 18 DEC 1934 MUZRAI BRANCH

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

To

Rajasevasakta
Rao Bahadur M. Rama Rao, B.A., B.L.,
Chief *Secretary to the Government of His Highness*
the Maharaja of Mysore,
Bangalore. Department.

CHIEF SECTT. 15 DEC 1934

SIR,

Resumption of S.No.210 of Belur in Sakleshpur taluk, granted to the Sri Channakesavaswami Temple at Belur.

I have the honour to forward herewith a copy of letter C.J.1 No. 22 dated 19th September 1934 received from the Deputy Commissioner, Hassan District, submitting for sanction the refund of Rs.321-8-0 being the difference between the full assessment and the remitted assessment in respect of S.No.210 referred to above.

2. The facts of the case are set out in the Deputy Commissioner's letter. It is not clear why sanction of Government was not obtained by the Deputy Commissioner before cancelling the revenue free grant of the land and ordering payment of the assessment on it to the temple. If, however, the Survey Department records show that from 1893-94, the amount of the full assessment on the land was collected for the benefit of the temple, there seems no reason to object to the temple authorities being allowed to retain the amount in the village accounts. In these circumstances, the question whether the tenure of the land may be or may not be altered from service to that of the alienee on full assessment, does not arise. The full land revenue from the year 1893-94 has been collected and the assessment on the land may, in future also, be allowed to be made over for the benefit of the temple.

I have the honor to be,

Sir,

Your most obedient servant,

N. M. Khan Dan

Muzrai Commissioner.

In forwarding herewith the records ending with the Sakleshpur Sub Division Officer's No.32-C.1252-33 dated 31st August 1934 relating to the above subject, I have the honor to state as follows:-

2. S.No.303 of Pelur Kasaba measuring 4 acres 16 guntas was originally endowed to the Sri Channakesavaswamy temple at Pelur as one of the devadaya inams for its up-keep and the same was acquired long ago for the formation of Pelur - Mudigere Road and the inam tenure was also cancelled. Subsequently, an extent of 5 acres 13 guntas with an assessment of R 5-8-0 was subdivided as S.No.210 out of gomal S.No.89, ~~before the Sub Division~~, of Pelur and was endowed as inam to the temple in exchange for the above S.No.303. The entire extent of gomal S.No.89, before the Sub Division, was 22 acres and after a portion of 5 acres 13 guntas was subdivided and granted to the temple, there remained an extent of 16 acres 27 guntas. This portion was disposed of in a malki sale on 30th June 1892 and the ownership was transferred to the name of one Kesaviengar. In spite of these facts, the entire S.No.89 including S.Nos 210 sub-dived therefrom continued to remain as sirkar lands in all the village accounts in the name of one Narasimhengar alias Kesaviengar and he is reported to be the actual occupant of the said lands. The Sub Division Officer having addressed the Superintendent of Survey and Settlement in order to make the matter clear, he has intimated in his No.406 dated 17th May 1930 to the effect that S.No.210 is undoubtedly an inam land endowed to the temple and that the entry in the Khatwar showing the land as sirkar is wrong. Thereupon the Amildar issued orders to B.K. Narasimhaiengar S/o Keshaviengar the present holder to quit the land and he petitioned to this office on 7th August 1930 stating that the entire portion of 22 acres was purchased by one Subbaravasetti in a malki sale and his father purchased the same on 21st August 1903 and since then the land is in his possession and enjoyment and also praying that the order of the Amildar to quit the land may be set aside as he has paid the assessment also.

3. On a report called for in the matter the Sub Division Officer reported in the first instance that the land is in the possession and enjoyment of the petitioner for more than 66 years and the full assessment is being levied and that option may be given to the petitioner to get the title to the land S.No.210 after paying the market value of the land to be fixed in consultation with the temple Dharmadarsis and thereupon the then Deputy Commissioner,

Mr. S. Abdul Wajid, I.A., pass a an order on 30th January 1931
[illegible] Section 10 of the Religious and Charitable Institu-
tions Regulation No.VII of 1927 cancelling the inam tenure of the
[illegible] and directing the assessment recovered being handed over to the
institution on the ground that the party has got adverse possession
of the property for over 12 years before the passing of the Regulation
4. The record does not show why this was not noticed so long and it
is reported that the Darkhast record relating to the Malki sale is
not traceable and that the Darkhast register has been destroyed.
5. In the said orders having been issued for taking further action in
terms of the order Mr. S. Abdul Wajid stated in para 3 above, the
Sub Division Officer has now resubmitted the file with two refund
bills one for Rs 104-3-0 for the period from 1893-94 to end of 1911-12
and the other for Rs 117/- for the period from 1912-13 to end of 1928-29
being the difference between the full assessment and Joodi realised on
the said sanction. It is reported that no treasury certificate
could be furnished for Rs 104-3-0 as the khirads of the periods between
1893-94 to end of 1911-12 have been destroyed as per Rules and that
preparation of the refund bills having involved searching of old
records for 35 years there was delay for such a long time and
explanation is now given. The Sub Division Officer also recommends
action on the above refund bills.
6. In the circumstances explained above, I request you to be so
good as to obtain sanction of Government to the two enclosed refund bills
duly countersigned by me.
The connected records may kindly be returned when done with.

"C O P Y"

[signature]
for Agrl Commissioner.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Letter No.375/34-35 dated 15th December 1934, from the Muzrai Commissioner in Mysore, recommending in the circumstances explained/(i) that the inam tenure of the land S.No.210 of Belur Kasaba endowed as inam to the Sri Chennakesavaswami Temple at Belur which was ordered by the Deputy Commissioner, Hassan District to be resumed in January 1931 may be formally cancelled and the same confirmed/on full assessment to the alience who has adverse possession of the property for over 12 years, (ii) that the jari amount erroneously credited to Land Revenue from 1893-94 may be refunded to the Temple in question; and (iii) that the assessment on the land, may in future years be ordered to be made over for the benefit of the Temple.

2. Un-official Note 375/34-35 dated 28.1.1935, by the same officer stating that the above case involves modification of the title deed as the Temple will be entitled in future only to the assessment on the land, and not the land itself, and that this requires sanction of Government, under Article 312-vii of the Revenue Manual Part I.

ORDER NO. 1099-1102/Muzg-164-34-5

Dated, Bangalore, the 10th February 1935.

The recommendation of the Muzrai Commissioner is sanctioned.

for Chief Secretary to Government.

The Muzrai Commissioner in Mysore, with records.
" Revenue Commissioner in Mysore.
" Comptroller to Government.
" Director of Land Records, Survey and Settlement in Mysore.

App. F VI—G 2]

UBJECT .....

.....

.....

Diary No. of letter replied to .....

Section Mme

File No. 164-3,

Serial No. 2

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue ....193 .

Signed by ....

Read— Letter No 375/34-35 dated 15th December 1934 from the M in the circumstances ex in ellyne recommending in the ~~matter of resumption~~ of S. No 210 of Belur Kasaba endowed as inam to the Sri Channa Kesava Swami Temple at Belur ~~Corporation~~ which was ordered by the Government in January 1937

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

~~Order thereon.— No.~~ (i) that the inam tenure of the land may be formally cancelled and the same confirmed to the alienee on full assessment

(ii) that the jodi amount erroneously credited to Land Revenue from 1893-94 may be refunded to the Temple in question; and

who has adverse possession of the property for over 12 years

that the assessment on the land, may
hereafter, be ordered to be made
for the benefit of the Temple
Gr.O. Note 375/3435 dated 28.1.35
by the Survey Officer stating that
the above case involves multifarious
title deeds of the Temple which are
white in nature only to the assessment
the Court must test the Land Records,
and that this requires searching by Sub-
order Art 312-VII of the Reforms Manual
and L. of X.C.A.P.

The Recommendation of
the H.C is Sanctioned

List of Enclosure

8/12

on chief Registrar
15/2

The H.C including the Secretary
Rice in Note
a Comptroller
in scrutiny L.R. Section
Settlement.

Copied by

Examined by